

FOREIGN CLAIMS SETTLEMENT COMMISSION
OF THE UNITED STATES
WASHINGTON, D.C. 20579

IN THE MATTER OF THE CLAIM OF

FRANK AL WIEGERS, EXECUTOR, ESTATE OF
FLORENCE M. McNAMARA, DECEASED

Claim No. CU-8796

Decision No. CU 6262

Under the International Claims Settlement
Act of 1949, as amended

Counsel for claimant:

Charles Carrigan, Esquire

PROPOSED DECISION

The claimant, FRANK AL WIEGERS, asserts this claim in his representative capacity under Title V of the International Claims Settlement Act of 1949, as amended, against the Government of Cuba for loss of certain "Belen" bonds, issued by the Association of the Religious Community of the Company of Jesus of Bethlehem College of Havana, which were owned by the late FLORENCE M. McNAMARA, who died testate on September 19, 1969. Claimant has submitted copy of the Letters Testamentary whereby he was appointed Executor of the estate on September 30, 1969, by the Probate Court in and for the City of St. Louis, Missouri.

In our decision entitled the Claim of Gustavus Basch (Claim No. CU-0972 which we incorporate herein by reference), we held that the properties of the College were nationalized or otherwise taken by the Government of Cuba on May 3, 1961, and that this type of claim is compensable to an American national under the facts and conditions set forth therein. We need not again detail here the reasons or the method used in determining the value per \$1,000 bond of \$459.17 including interest to May 3, 1961.

On the basis of evidence in the record in the instant case, the Commission finds that this claimant comes within the terms of the Basch decision; that the decedent herein was an American national at the requisite times; and that she had been the owner of two Belen bonds since prior to May 3, 1961; and that she suffered a loss in the amount of \$918.34 within the meaning of Title V of the

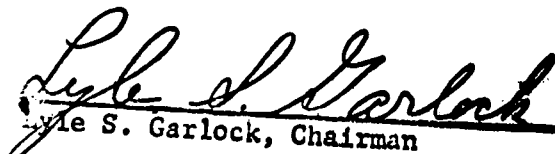
Act and that claimant herein succeeded to such loss. Further, the Commission finds that the amount of loss sustained shall be increased by interest thereon at the rate of 6% per annum from May 3, 1961, the date of loss, to the date on which provisions are made for the settlement thereof. (See Basch, supra.)

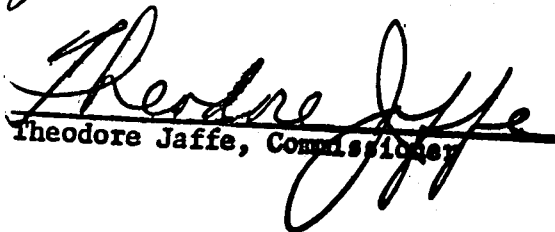
CERTIFICATION OF LOSS

The Commission certifies that FRANK AL WIEGERS, EXECUTOR, ESTATE OF FLORENCE M. McNAMARA, DECEASED suffered a loss, as a result of actions of the Government of Cuba, within the scope of Title V of the International Claims Settlement Act of 1949, as amended, in the amount of Nine Hundred Eighteen Dollars and Thirty-Four Cents (\$918.34) with interest thereon at 6% per annum from May 3, 1961 to the date of settlement.

Dated at Washington, D. C.,
and entered as the Proposed
Decision of the Commission

JUL 14 1971


Lyle S. Garlock, Chairman


Theodore Jaffe, Commissioner

NOTICE TO TREASURY: The above-referenced securities may not have been submitted to the Commission or if submitted, may have been returned; accordingly, no payment should be made until claimant establishes retention of the securities or the loss here certified.

The statute does not provide for the payment of claims against the Government of Cuba. Provision is only made for the determination by the Commission of the validity and amounts of such claims. Section 501 of the statute specifically precludes any authorization for appropriations for payment of these claims. The Commission is required to certify its findings to the Secretary of State for possible use in future negotiations with the Government of Cuba.

NOTICE: Pursuant to the Regulations of the Commission, if no objections are filed within 15 days after service or receipt of notice of this Proposed Decision, the decision will be entered as the Final Decision of the Commission upon the expiration of 30 days after such service or receipt of notice, unless the Commission otherwise orders. (FCSC Reg., 45 C.F.R. 11.5(e) and (g), as amended (1970).)

CU-8796